# Copyright, Designs and Patents Act 1988

**1988 CHAPTER 48**

**PART II**

RIGHTS IN PERFORMANCES

**[F1CHAPTER 2**

ECONOMIC RIGHTS

*X1[F1Performers' rights]*

**X1[F1[F2182B Consent required for issue of copies to public.**

(1) A performer's rights are infringed by a person who, without his consent, issues to the public copies of a recording of the whole or any substantial part of a qualifying performance.

(2) References in this Part to the issue to the public of copies of a recording are to—

(a) the act of putting into circulation in the **[**F3UK-EEA area**]** copies not previously put into circulation in the **[**F3UK-EEA area**]** by or with the consent of the performer, or

(b) the act of putting into circulation outside the **[**F3UK-EEA area**]** copies not previously put into circulation in the **[**F3UK-EEA area**]** or elsewhere.

(3) References in this Part to the issue to the public of copies of a recording do not include—

(a) any subsequent distribution, sale, hiring or loan of copies previously put into circulation (but see section 182C: consent required for rental or lending), or

(b) any subsequent importation of such copies into the United Kingdom or **[**F4an**]**EEA state,

except so far as paragraph (a) of subsection (2) applies to putting into circulation in the **[**F5UK-EEA area**]** copies previously put into circulation outside the **[**F5UK-EEA area**]**.

**[** In this section "UK-EEA area" means the United Kingdom and the EEA, taken [F6](3A) together.**]**

(4) References in this Part to the issue of copies of a recording of a performance include the issue of the original recording of the live performance.

(5) The right of a performer under this section to authorise or prohibit the issue of copies to the public is referred to in **[**[F7]this Chapter**]** as "distribution right".**]]**

**Editorial Information**

**X1** The insertion of the new headings "Chapter 1 Introductory", "Chapter 2 Economic Rights", "Chapter 3 Moral Rights" and "Chapter 4 Qualification for Protection, Extent and Interpretation" in Pt. II on 1.2.2006 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under those new headings.

**Textual Amendments**

**F1** Ss. 182-205B become Pt. 2 Ch. 2 (1.2.2006) by virtue of The Performances (Moral Rights, etc.) Regulations 2006 (S.I. 2006/18), **reg. 4(4)** (with reg. 8)

**F2** S. 182B inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(2)** (with Pt. III)

**F3** Words in s. 182B(2) substituted (31.1.2020) by The Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2019 (S.I. 2019/265), regs. 1, **4(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

**F4** Word in s. 182B(3)(b) substituted (31.1.2020) by The Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2019 (S.I. 2019/265), regs. 1, **4(4)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

**F5** Words in s. 182B(3) substituted (31.1.2020) by The Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2019 (S.I. 2019/265), regs. 1, **4(4)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

**F6** S. 182B(3A) inserted (31.1.2020) by The Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2019 (S.I. 2019/265), regs. 1, **4(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

**F7** Words in s. 182B(5) substituted (1.2.2006) by The Performances (Moral Rights, etc.) Regulations 2006 (S.I. 2006/18), reg. 2, **Sch. para. 8** (with reg. 8)

**Changes to legislation:**
There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 182B.